

PATENT

Serial No. 10/535,636

Amendment in Reply to Final Office Action of April 27, 2009

REMARKS

This Amendment is being filed in response to the Final Office Action mailed April 27, 2009, which has been reviewed and carefully considered. Entry of the present amendment and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-6, 8-19 and 21-23 remain in this application, where 1, 9, 10, 11 and 21 are independent.

In the Final Office Action, the Examiner objected to the specification and drawings for not describing an electrode. This rejection is respectfully traversed. However, to advance prosecution, claims 1, 9-11, 15-16 and 21 have been amended for better conformance with the specification. Accordingly, withdrawal of the objection to the specification and drawings is respectfully requested.

In the Final Office Action, the Examiner objected to claims 9-11, 15 and 18 for certain informalities. In response, claims 9-11, 15 and 18 have been amended to remove the informalities noted by

the Examiner. Accordingly, withdrawal of the objection to claims 9-11, 15 and 18 is respectfully requested.

In the Final Office Action, claims 1-6, 8-19 and 21-23 are rejected under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed. However, to advance prosecution, claims 1, 9-11, 15-16 and 21 have been amended for better clarity. It is respectfully submitted that this rejection of claims 1-6, 8-19 and 21-23 has been overcome. Accordingly, withdrawal of this rejection is respectfully requested.

In the Final Office Action, claims 18-19 are rejected under 35 U.S.C. §112, first paragraph. This rejection is respectfully traversed. However, to advance prosecution, claim 18 has been amended for better clarity. It should be noted that it is the end closure member which is made of the graded cermet material. That is, the graded cermet material does not involve the coating layer 4a referred to on page 5 of the Final Office Action. It is respectfully submitted that this rejection of claims 18-19 has been overcome. Accordingly, withdrawal of this rejection is respectfully requested.

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In the Final Office Action, claims 1-6, 10, 21 and 23 are rejected under 35 U.S.C. §103(a) over U.S. Patent No. 4,291,250 (Bhalla) in view of U.S. Patent No. 6,194,832 (Juengst). Further, claims 9 and 11-19 are rejected under 35 U.S.C. §103(a) over Bhalla in view of Juengst and WO 00/67294 (Hendricx). In addition, claim 8 is rejected under 35 U.S.C. §103(a) over Bhalla and Juengst in view of U.S. Patent No. 6,624,576 (Mittler). Claim 22 is rejected under 35 U.S.C. §103(a) over Bhalla and Juengst in view of U.S. Patent No. 4,110,657 (Sobieski). Applicants respectfully traverse and submit that claims 1-6, 8-19 and 21-23, as amended, are patentable over Bhalla, Juengst, Hendricx, Mittler and Sobieski for at least the following reasons.

Bhalla is directed to an arc discharge tube end seal. As shown in FIGs 3 and 5, and specifically recited on column 5, lines 27-28 a "coating 32 [is] deposited, in this configuration, on the entire interior end cap surface." A sealing frit 34 is formed between the coating 32 and the arc tube body 18.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 9,

10, 11 and 21, amongst other patentable elements recites

(illustrative emphasis provided) :

wherein the at least one coating layer is located
between the discharge vessel and the sealant.

A coating layer located between the discharge vessel and the sealant is nowhere disclosed or suggested in Bhalla. Rather, Bhalla discloses that the sealing frit 34 is between the coating 32 and the arc tube body 18. Juengst, Hendricx, Mittler and Sobieski are cited to allegedly show other features and do not remedy the deficiencies in Bhalla.

Accordingly, it is respectfully submitted that independent claims 1, 9, 10, 11 and 21 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-6, 8, 12-19 and 22-23 should also be allowed at least based on their dependence from amended independent claims 1 and 11 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the

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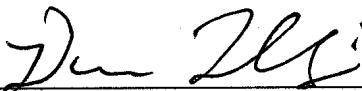
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foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By 
Dicran Halajian, Reg. 39,703
Attorney for Applicant(s)
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THORNE & HALAJIAN, LLP
Applied Technology Center
111 West Main Street
Bay Shore, NY 11706
Tel: (631) 665-5139
Fax: (631) 665-5101